

## **REMARKS**

Applicants acknowledge receipt of the Office Action dated August 19, 2008. In that action, the Examiner: (1) rejected claims 1-5, 10, 12, 13, 15-19, 21, 22, 24, 31-36, 40, 45 and 49-63 under 35 USC 102(e) as anticipated by *Bullock* (U.S. Patent No. 6,564,875) (“*Bullock*”); (2) rejected claims 6-9, 38, 39, 41 and 46 under 35 USC 103(a) as being unpatentable over *Bullock*; and (3) lodged double patenting rejections under 35 U.S.C. 101 against claims 1-63 as claiming the same invention as that of claims 1-54 of copending Application No. 10/510,966. Applicants respectfully request reconsideration in view of the remarks that follow.

### ***Status of the Claims***

Claims 1-63, 145, 146 are currently pending.

Claims 1-63 are in original form.

Claims 64-144 are canceled.

Claims 145, 146 are new.

### ***Rejections under 35 U.S.C. 102(e) based on Bullock***

There are very specific teachings, or lack thereof, in *Bullock* which are contrary to the Examiner’s stated positions to date. Therefore, there remain issues for which Applicants feel they are entitled to further clarity from the Examiner, as outlined below.

First, the Examiner states that the first and second tubular members 110 and 130 (also referred to as locking member 115 in *Bullock*) are radially expanded and plastically deformed. While *Bullock* discloses that one tubular member is expandable (see Derwent abstract of *Bullock* cited by Examiner; “Expandable tubular member (110)”), the other tubular member clearly is not expandable nor is it intended to be expanded. This is evidenced in the Derwent abstract at item (b), wherein the locking member and the collar are decoupled from the expandable tubular member, and the radial expansion and plastic deformation only occurs to the expandable tubular member by displacing the expansion cone relative to the expandable tubular member. See also claim 12 of *Bullock*, wherein only the expandable tubular member is expanded, and both the locking member and the collar are removed from the expandable tubular member. Nowhere does *Bullock* teach that the locking member 130, 115 is radially expanded and plastically deformed. Applicants fail to see

how claim 1 is anticipated by *Bullock*. The Derwent abstract simply reiterates the teachings in *Bullock*.

Second, *Bullock* does not teach that the tubular sleeve (identified in *Bullock* as collar 120) is radially expanded and plastically deformed. All teachings of the Derwent abstract and *Bullock* consistently show that the collar is removed from the expandable tubular member, and that all radial expansion is performed on the expandable tubular member, as previously discussed. See claims 33, 45, 46 and 145, above, for radial expansion and plastic deformation of the tubular sleeve.

Third, *Bullock* does not teach displacing an expansion device within and relative to the coupled first tubular, second tubular member and tubular sleeve. Again, *Bullock* teaches removing the second tubular member 130 and the tubular sleeve 120, and displacing the expansion cone within and relative to the expandable tubular member 110 only. See claims 45, 46 and 146, above, for displacing an expansion device within and relative to the first tubular member, the second tubular member and the tubular sleeve.

Applicants respectfully request the Examiner's clarification on how *Bullock* teaches all of the claim elements listed above, and further how such teachings are being used by the Examiner to reject the identified claims.

### ***Double Patenting Rejections***

#### **35 U.S.C. 101**

An amendment to Application No. 10/510,966 is pending concurrently herewith, thus rendering moot the double patenting rejection under 35 U.S.C. 101 based on same.

### **CONCLUSION**

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Appl. No. 10/511,410  
Amdt. Dated December 19, 2008  
Reply to Office Action of August 19, 2008

A one-month extension of time is petitioned herewith. In the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required are hereby authorized to be charged to Conley Rose, P.C.'s Deposit Account Number 03-2769 (2725-10105).

Respectfully submitted,

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